

**BILLY J. WILLIAMS, OSB #901366**

United States Attorney

**JARED D. HAGER, WSB #38961**

Assistant United States Attorney

U.S. Attorney's Office for the District of Oregon

1000 SW Third Avenue, Suite 600

Portland, Oregon 97204-2902

Phone: 503.727.1120

Email: jared.hager@usdoj.gov

Attorneys for the United States

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**TIMOTHY C. ROTE,**

Plaintiff,

v.

**LINDA L. MARSHALL, JOEL  
CHRISTIENSEN, ANDREW  
BRANDSNESS, CAROL BERNICK,  
OREGON STATE BAR  
(PROFESSIONAL LIABILITY FUND),  
MATT KALMANSON, JANE DOE, PAM  
STENDAHL, JOHN DOES (4-5),**

Defendants.

Case No. 3:19-cv-00082

CERTIFICATION PURSUANT TO 28  
U.S.C. § 2679(d)

I, RENATA A. GOWIE, hereby certify as follows:

1. I am the Chief of the Civil Division of the United States Attorney's Office for the District of Oregon. On March 22, 2016, Billy J. Williams, the United States Attorney for the District of Oregon, re-delegated to the Chief of the Civil Division the authority to certify whether a federal employee was acting in the scope of his or her employment at the time of the alleged

tortious conduct in any civil case in this District pursuant to 28 U.S.C. § 2679(d) and 28 C.F.R. § 15.4.

2. The U.S. Attorney's Office has received notice that Defendant Jane Doe – actual identity Nancy Walker – is being sued in Clackamas County Circuit Court for conduct that took place while acting within the course and scope of her employment as Official Court Reporter.
3. On the basis of the information available to me at this time, and pursuant to 28 U.S.C. § 2679(d)(2) and 28 C.F.R. § 15.4, I hereby certify that Jane Doe / Nancy Walker was acting within the scope of her employment at the time of the conduct out of which Timothy Rote's claims arose. As a result, in accordance with 28 U.S.C. § 2679(d)(1), Rote's FTCA claims should be deemed claims brought against the United States, and the United States should be substituted as the party defendant with respect to the FTCA claims.

Executed this 16th day of January 2019 at Portland, Oregon.

A handwritten signature in black ink, appearing to read "Renata A. Gowie", written over a horizontal line.

RENATA A. GOWIE  
Chief, Civil Division  
United States Attorney's Office  
District of Oregon

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Certification Pursuant to 28 U.S.C. § 2679(d)** was placed in a postage prepaid envelope and deposited in the United States Mail according to established office procedure within the office of the United States Attorney at Portland, Oregon, on January 16, 2019, addressed to:

Timothy C. Rote  
24790 SW Big Fir Rd.  
West Linn OR 97068  
(503) 702-7225  
tim@rote-enterprises.com  
*Plaintiff Pro Se*

Andrew Brandsness  
411 Pine Street  
Klamath Falls, OR 97601  
*Defendant*

/s/ Jared D. Hager  
JARED D. HAGER  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE